

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:05-CR-55-1FL

ERIC ODELL GADSON  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Defendant.

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**ORDER**

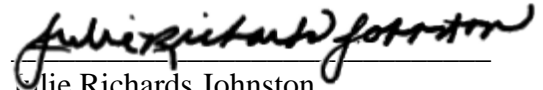
The petitioner's motion for free copies [DE-80] has been referred to the clerk. Therein, petitioner seeks a copy of the docket sheet, the plea agreement, and the judgment issued in this case.

The clerk previously denied petitioner's motion seeking a copy of his docket sheet and judgment [DE-65], noting: "Federal inmates are not entitled to documents and materials at Government expense for collateral attacks on their convictions, absent some showing of a particularized need." March 10, 2016 Order [DE-65] (citing United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at \*1 (4th Cir. May 31, 1988) ("Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need.")). Because there was no proceeding before the court that required the requested documents and because petitioner failed to identify the reasons the documents should be furnished to him, the clerk denied his motion without prejudice.

Petitioner has now filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence [DE-67]. The consideration of that motion, however, has been stayed pending the

Fourth Circuit's decisions in United States v. Walker, No. 15-4301 (4th Cir. 2016) and United States v. Simms, No. 15-4640 (4th Cir. 2006). See August 26, 2016 Order [DE-83]. Accordingly, there is no present need for the requested documents, and the motion [DE-80] is DENIED without prejudice to the petitioner to renew.

SO ORDERED. This the 22nd day of November, 2016.

  
Julie Richards Johnston  
Clerk of Court